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REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application. Applicants request reconsideration of the subject application based on the following remarks.

Claims 6-13 are currently pending in the application. Claims 1-5 have been cancelled without prejudice or disclaimer of Applicants right to pursue the cancelled subject matter in this or a subsequent application. Claims 6 and 8 have been amended and new claims 12 and 13 introduced. Support for new claims 12 and 13 can be found for example at page 6, lines 3-8 and in examples 1-5. No new matter has been introduced by the newly presented claims.

Claims 1-3 and 5 were rejected under 35 U.S.C. §102(c) as being allegedly anticipated by Hirano (U.S. Patent 5,820,878).

Claim 6 provides an adhesive preparation for percutaneous absorption **consisting essentially of:**

- a base for the adhesive preparation which **consists essentially of** a styrene-isoprene-styrene block copolymer;

- an amount of norethisterone dissolved in the base preparation without crystallization in the absence of hexylene glycol;

- estradiol in an amount not more than 2 % by weight based on the whole base;

- a softener selected from liquid paraffin, polybutene, castor oil, cottonseed oil, palm oil, coconut oil, and processed oil; and

- an adhesive resin selected from alicyclic saturated hydrocarbon resins, rosin ester, hydrogen alicyclic hydrocarbon, terpene-based hydrogenated resin, and hydrogenated rosin ester.

Claim 8, as amended, provides an adhesive preparation for percutaneous absorption **consisting essentially of:**

- a base for the adhesive preparation which **consists essentially of** a styrene-isoprene-styrene block copolymer;

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an amount of norethisterone dissolved in the base preparation without crystallization in the absence of hexylene glycol;

estradiol in an amount not more than 2 % by weight based on the whole base;

a softener selected from liquid paraffin, polybutene, castor oil, cottonseed oil, palm oil, coconut oil, and processed oil;

an adhesive resin selected from alicyclic saturated hydrocarbon resins, rosin ester, hydrogen alicyclic hydrocarbon, terpene-based hydrogenated resin, and hydrogenated rosin ester; and

a polyisobutylene solubilizing agent.

Thus, the use of "consisting essentially of" language in the clause providing the styrene-isoprene-styrene block copolymer base resin in claims 6 and 8 precludes adhesive preparations for percutaneous absorption which contain crotamiton.

In contrast, Hirano teaches that "the base containing as the essential components the (A-B)n-A type elastomer, the crotamiton, and the softening agent" in the recited percutaneously absorbable patch provides improved biological utility and reduced skin irritation. See, column 1, lines 59-66, column 2, lines 61-65, and the working examples.

Thus, the instant claims, which provide adhesive formulations having a base for the adhesive preparation which consists essentially of a styrene-isoprene-styrene block copolymer, are patentable over the percutaneously absorbable patches of Hirano which include crotamiton as an essential ingredient.

Thus, claims 6-11 are patentable over the Hirano reference and withdrawal of the §102 rejection is respectfully requested.

Claims 6-11 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Oda (U.S. Patent 5,725,874).

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The rejection is traversed.

As the Oda patent is understood, percutaneously absorbable preparations which comprise a drug and 3-1-menthoxy-propane-1,2-diol are essential ingredients are recited. Thus, 3-1-menthoxypropane-1,2-diol is an essential feature of each of the formulations recited by Oda. See, for example, the abstract, the specification at column 2, lines 38-51 and column 7, line 66 to column 8 line 11, and working examples 1-80.

In contrast, the present invention provides an adhesive preparation for percutaneous absorption **consisting essentially of** a base, norethisterone, estradiol, an adhesive resin and a softener selected from liquid paraffin, polybutene, castor oil, cottonseed oil, palm oil, coconut oil, and processed oil. That is, the adhesive preparations for percutaneous absorption do **not** contain 3-1-menthoxypropane-1,2-diol.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,



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